

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:22-cr-00336
)	
Plaintiff,)	JUDGE DAVID A. RUIZ
)	
vs.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
JANIYA M.N. SMITH,)	REFERRAL TO U.S. PROBATION
)	OFFICE
Defendant.)	
)	

This case is before the Court on a Report and Recommendation (R&R) filed by United States Magistrate Judge Thomas M. Parker regarding the change of plea hearing of Defendant Janiya M.N. Smith which was referred to the Magistrate Judge with the consent of the parties.

On June 23, 2022, the Government filed a six count Indictment, charging Defendant Janiya M.N. Smith in Count 2 with Conspiracy to Commit Bank Fraud, in violation of 18 U.S.C. § 1349. Defendant Janiya M.N. Smith was arraigned on July 6, 2022, during which Ms. Smith entered a plea of not guilty to the charge. On May 24, 2023 Magistrate Judge Parker received Defendant's plea of guilty to count 2 of the Indictment, with a written plea agreement, and issued a Report and Recommendation (R&R), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party has submitted objections to the Magistrate Judge's R&R.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Janiya M.N. Smith is found to be competent to enter a plea and to understand her constitutional rights. She is aware of the charges and of the consequences of entering a plea. There is a

sufficient factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Janiya M.N. Smith is adjudged guilty of Count 2 of the Indictment, Conspiracy to Commit Bank Fraud, in violation of 18 U.S.C. § 1349. This matter was referred to U.S. Pretrial Services and Probation Office for the completion of a pre-sentence investigation and report. The Court has scheduled the sentencing hearing to occur on September 14, 2023, at 12:00 p.m. in Courtroom 17B, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

s/David A. Ruiz 8/11/2023
DAVID A. RUIZ
UNITED STATES DISTRICT JUDGE